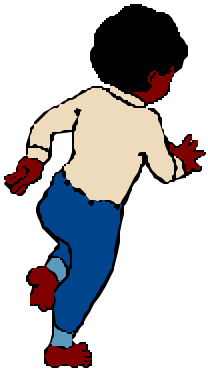
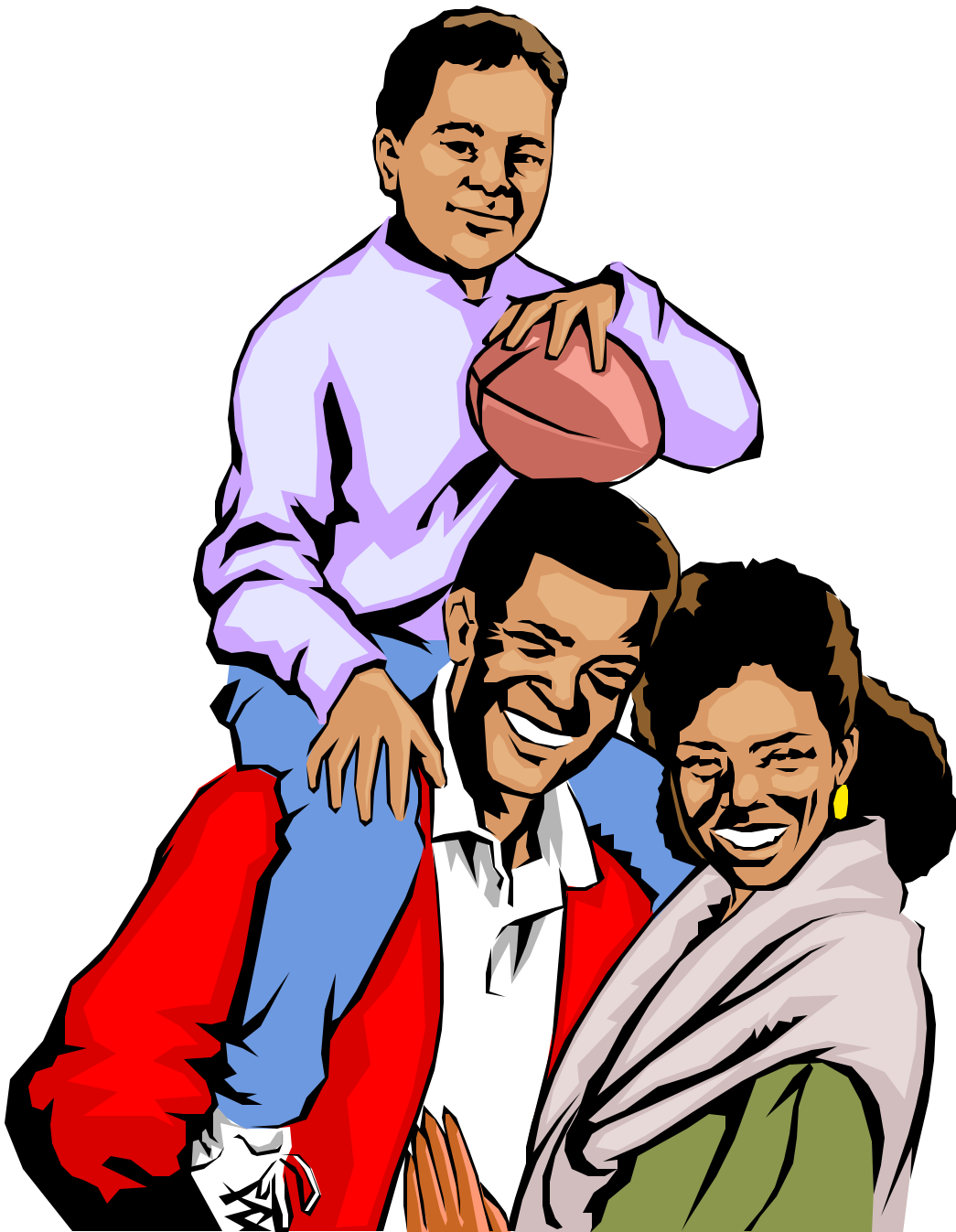


TITLE IV-E

FOSTER CARE & ADOPTION ASSISTANCE





TITLE IV-E

FOSTER CARE



The Title IV-E program was created by U.S Public Law 96-272 and is set forth in [Title IV, Part E](#) of the Social Security Act. This part of the Social Security Act:

- ◆ Mandates safeguards and provides incentives to ensure that children from low-income families, entering out of home care, are not placed in foster care unnecessarily. Child must be removed by court order that states:
Continuation in the home is contrary to the welfare of the child
Reasonable efforts were made to prevent placement or reasonable
Efforts were not possible. (*Language requirements are automatically met if the Order is dated on or after May 5, 1992*)
- ◆ Provides incentives to ensure that low-income “special needs” children are adopted and do not remain in foster care solely for financial reasons.

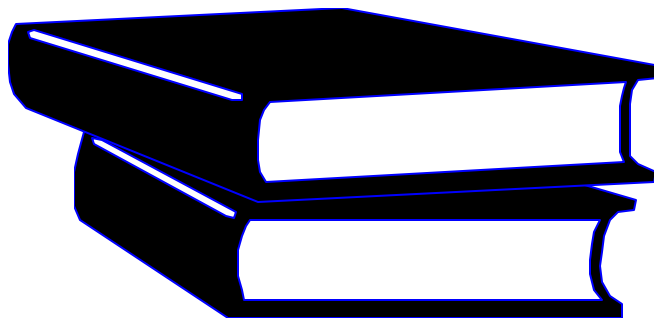


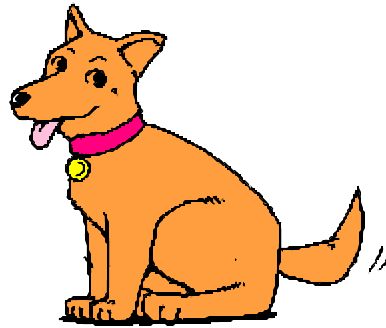
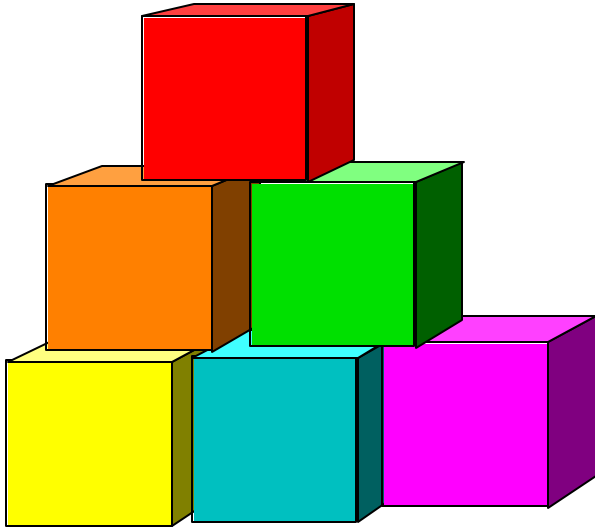
WHY IS IV-E IMPORTANT?

- ◆ Provides needed federal dollars at a time when funds for social services are decreasing while the need for those services are increasing. Maryland claimed 104.4 million dollars in federal IV-E funds in State fiscal year 1999.
- ◆ Provides funds for maintaining eligible children in foster care (50%)
- ◆ Providing subsidized adoption payments (50%)
- ◆ Administering the foster care program (50%)
- ◆ Training foster care workers and administrators (75%)

AFCARS REPORTING

Title IV-E has three data elements on the Adoption and Foster Care Analysis and Reporting System (AFCARS) to the federal government. AFCARS is a five-year-old federal government initiative to standardize reporting on adoption and foster care at the State level. When States fail to meet federal standards for reporting they incur substantial financial penalties.

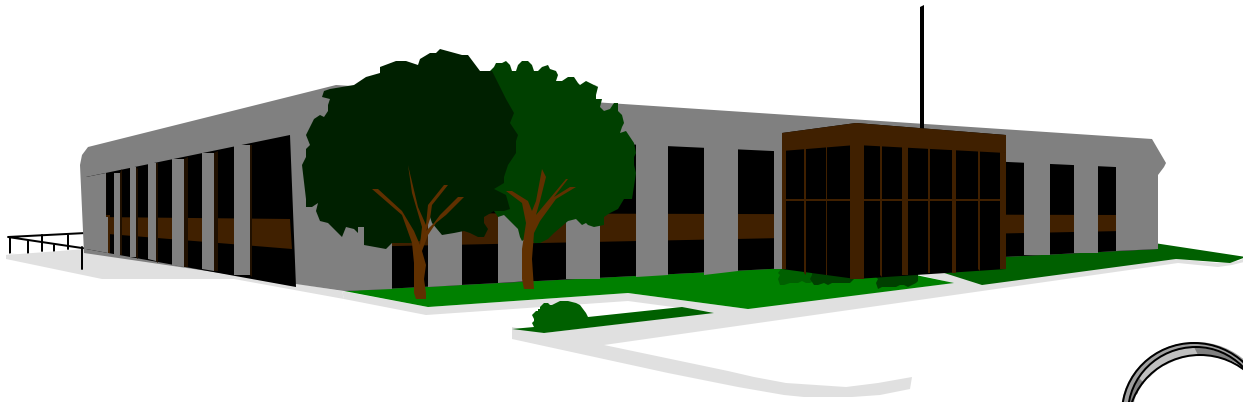




IV-E FOSTER CARE ELIGIBILITY PROCESS

SOCAL WORKER REMOVES CHILD FROM HOME:

- ◆ Place copies of removal court documents in the service record.
If applicable, place a copy of Voluntary Placement Agreement (VPA) in the service record. The VPA must specify the legal status of the child and the rights and obligations of the parent(s) or legal guardian, as well as the agency while the child are in placement. A judicial determination must be obtained within 180 days of the date of agreement. Signing another VPA does not satisfy this requirement.
- ◆ Interview the parent(s), guardian or caretaker relative to obtain information about the child's background and financial status. Record this information in the case plan and on the DHR/SSA 6.101 Documentation for TCA (AFDC) Relatedness. Include social security number of child and parent(s) to facilitate accessing automated systems.
- ◆ Forward the yellow copy of the 6.101 to the IV-E Specialist within 7 working days of the placement. Retain the original in Section 6 of the service plan. Answer any questions the IV-E Specialist may have about the case. The primary responsibility of the social worker in the IV-E process is to obtain the information needed for the IV-E Specialist to determine IV-E eligibility. It is important that this information be as complete and accurate as possible.



IV-E SPECIALIST CHECKS FOR LEGAL SUFFICIENCY:

- ◆ Child entered foster care through a court order or voluntary placement agreement.
- ◆ Copy of court order or voluntary placement agreement is in service record and contain proper language (“continuation in the home is contrary to the welfare of the child” and “reasonable efforts” were made to prevent placement or “reasonable efforts” were not possible).

IV-E SPECIALIST SCREENS FOR AFDC RELATEDNESS:

Child received TC (AFDC) in the month the removal petition was filed (Eligibility month) or in any of the six prior months; or

- ◆ Would have received TCA (AFDC) in the eligibility month or any of the six prior months if an application had been filed.
- ◆ To be eligible, the child must:

Be less than 18 years or under 19 if still in school and expected to graduate by the 19th birthday;

Live with a specified relative

Have available family income and assets within TCA (AFDC) standards;

Be deprived of the support of at least one parent as the result of death, Incapacity, continued absence from the home, or unemployment of the principle wage earner.

IV-E SPECIALIST DETERMINES IV-E ELIGIBILITY:

- ◆ IV-E eligible or ineligible based on legal sufficiency and TCA (AFDC) Relatedness. If ineligible, the IV-E Status on FACTS or CIS is coded as Ineligible.
- ◆ IV-E eligibility is determined on a one-time basis when the child enters Foster care. Once established, the child's eligibility continues as long as the child remains in licensed foster care.

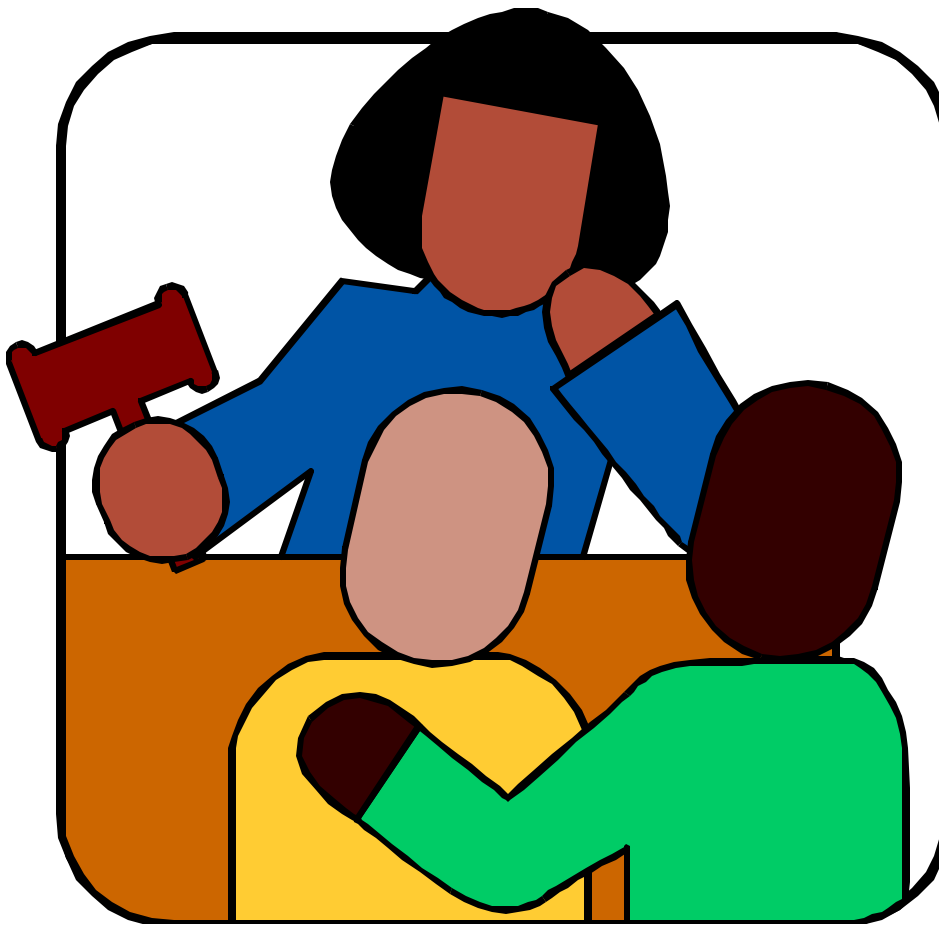


REIMBURSABILITY FOR FOSTER CARE MAINTENANCE PAYMENTS:

- ◆ **Foster care payment is made to a licensed foster care provider.**
- ◆ The foster care provider is:
 - For-profit or Non-profit child-care institution and
 - The facility is licensed for no more than 25 children.
- ◆ The child is not receiving other federal funds such as Supplemental Security Income (SSI);
- ◆ Place the proper IV-E Status code on the Client Information System's Foster and Adoption Child Tracking System (CIS FACTS);
- ◆ Reimbursability is re-determined every six months to ascertain that the child is still in a reimbursable placement, meets age requirements, deprived of parental support and has a continuing need. At re-determination, only the income and assets of the foster child are considered.

TITLE IV-E

JUVENILE DELINQUENT YOUTHS IN STATE CARE



The Department of Human Resources (DHR) is the sole designated agency for determining and claiming Title IV-E on behalf of eligible children in all State agencies. Under an inter-agency agreement between the Department of Human Resources and the Department of Juvenile Justice (DJJ), DHR has a unit of specialists, at the DJJ headquarters, to determine IV-E eligibility for delinquent youths placed in the care and custody of DJJ. The DHR unit reviews each file, identifies documents needed to make an eligibility decision on each case.

The eligibility criteria and process for determining Title IV-E for delinquent youths, are similar to that of children in foster care, but the information required by the specialists for making eligibility decisions are provided by case workers in the Department Juvenile Justice system.



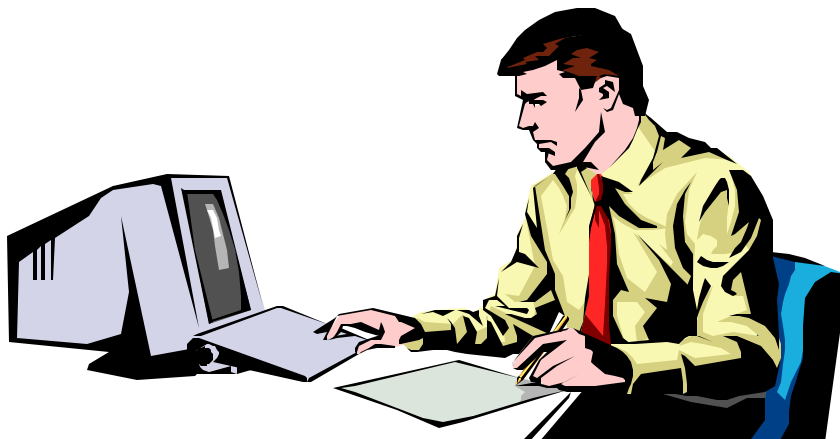


TITLE IV-E

ADOPTION ASSISTANCE

DEFINITIONS:

1. **Special Needs:** Child meets one of the following criteria:
 - Age 6 or older
 - Member of a minority race
 - Member of a sibling group
 - Physically or mentally handicapped
 - Emotionally disturbed
2. **Adoption Assistance Agreement:** Written, binding agreement between the local department and the prospective adoptive parents which at a minimum specifies:
 - The duration of the agreement;
 - The nature and amount of payment, services and assistance;
 - Child's entitlement to Medical Assistance (Title XIX) and Social Services (Title XX);
 - The agreement will remain in effect regardless of the state in which the child is a resident.
3. **SSI Relatedness:** Child is eligible for SSI at the time the adoption assistance agreement is signed or the adoption petition is filed.
4. **TCA (AFDC) Relatedness:** Child meets one of the following criteria:
 - Received TCA (AFDC) or was IV-E eligible for foster care in the month the adoption assistance agreement was signed or the month the adoption petition was filed.
 - Would have received TCA (AFDC) or IV-E in the month the petition was filed or the adoption assistance agreement was signed or in any of the six prior months if an application had been made.



INITIAL ELIGIBILITY FOR IV-E ADOPTION ASSISTANCE:

- ◆ Child meets the “special needs” requirement.
- ◆ Child meets SSI or TCA (AFDC) relatedness.
- ◆ There is a written, binding adoption assistance agreement which is signed and in effect prior to the finalization of the adoption.
- ◆ The local department verify that it made reasonable but unsuccessful effort to place the child, without providing adoption assistance, or that such a placement effort would not be in the best interest of the child because of the existence of significant ties with the prospective adoptive parents, while in their care as a foster child.



ONGOING ELIGIBILITY FOR IV-E ADOPTION ASSISTANCE:

- ◆ Determined every 12 months.
- ◆ Child continues to be under the age of 18 or 21 if the state has determined the child has a documented physical or mental handicap.
- ◆ The adoptive parents continue to be legally responsible for the care and support of the child.
- ◆ The adoption assistance agreement is renewed annually by signing an adoption assistance renewal agreement.





***TITLE IV-E ELIGIBILITY CODES
ON THE CLIENT INFORMATION SYSTEM (CIS) FOSTER CARE AND ADOPTION CHILD TRACKING
SYSTEM (FACTS)***

A	=	Eligible and Reimbursable
B	=	Eligible not Reimbursable due to placement in an unapproved facility or home
C	=	Eligible not Reimbursable due to concurrent receipt of TCA (AFDC)
D	=	Eligible not Reimbursable due to concurrent receipt of SSI
E	=	Eligible not Reimbursable due to concurrent receipt of federal benefits other than TCA (AFDC) or SSI
F	=	At Reconsideration, Eligible not Reimbursable because the parents of the child have greater income than allowed
G	=	At Reconsideration, Eligible not Reimbursable because parental deprivation factor is no longer present
H	=	Case determined Eligible not Reimbursable prior to CIS conversion
I	=	Ineligible at initial determination because there is no parental deprivation factor
J	=	Ineligible at initial determination because child did not live with an AFDC relative at placement or within prior six months
K	=	Ineligible at initial determination because parents have greater income than allowed
L	=	Ineligible at initial determination because the only barrier is that the child was not physically removed from the home
M	=	Ineligible due to insufficient language of a Court order dated prior to 5/5/92
N	=	Ineligible based on a determination made prior to Alpha codes
O	=	Ineligible for IV-E Adoption subsidy because of insufficient language of the Adoption Assistance agreement
P	=	Ineligible for IV-E Adoption subsidy because the subsidy agreement was not signed prior to the final Adoption decree
Q	=	Ineligible for IV-E Adoption subsidy because child was not IV-E eligible while in foster care, or does not meet TCA (AFDC) or SSI criteria
R	=	Ineligible for IV-E Adoption subsidy because child does not meet special needs Criteria
S	=	Case closed
T	=	Eligibility decision pending receipt of additional information needed for initial decision
U	=	SEFC case not subject to IV-E determination